

Notice of Allowability

Application No.

09/696,399

Applicant(s)

CASABONA ET AL.

Examiner

Tuan A. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/22/2005.
2. ☒ The allowed claim(s) is/are 1-16.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. This action is responsive to the Applicant's response filed 8/22/2005.

The arguments as submitted in the Appeal Brief as of 8/22/05, have been considered.

Claims 1-16 are pending in the office action.

EXAMINER'S AMENDMENT

2. The application has been amended as follows:

In the ABSTRACT,

The present invention relates to a method and system for maintaining software products installed on client system ~~(12)~~ via network. It can advantageously be provided a hierarchy of overlay repositories ~~(20, 22)~~, for example 'country level' and 'system level'.

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EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

3. In view of the arguments as submitted in the Brief and the state of the rejections in light of the prior art of record, claims 1-16 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art taken separately or jointly does not suggest or teach the following features.

A method and a computer product for maintaining software implemented (i) in a network of client systems decentralized from a one central maintenance institution, comprising making product information available to and downloading data required for maintenance of said plurality of client systems via a sequence of repositories, wherein (ii) the sequence of repositories includes

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a least a top-level repository storing a set of files for the product and a local-level repository storing a first subset of files for the product wherein the first subset is specific for a given client as recited in claims 1, 4, 7, 12; wherein

(iii) data downloaded from the top-level repository is different from data downloaded from the local-level repository and the data downloaded from both the top-level repository and the local-level repository is used by the given client system in performing the software maintenance action as recited in claims 1, 7, and 12; or

(iv) wherein the downloading of files on the target client system only includes the plurality of files which are not yet present at the target system by way of comparing the list of files downloadable from the sequence of repositories with those present at the target system as recited in claim 4.

McInnis, USPN: 6,487,723, discloses a downloading of product information between a service to a target system with comparing of files to only download those that are required; but fails to teach or suggest downloading via a sequence of repositories with top-level and local-level repository such that the files of the local repository is subset to the files in the top repository with differential storing being performed as in as set forth in (ii) and (iii) or in (iv) prior to the more specific files for a given client are downloaded to a target client system.

Saether, USPN: 6,405,219, discloses updating of local servers, wherein *source servers* files are copied to *Primary servers* and using the so-created list of files in the *Primary servers* to instruct another set of *secondary servers* to effect the downloading of such files stored in the *secondary servers* to update directories of a local server machine. Even though Saether teaches differential in files being copied from a higher repository to a lower repository, Saether only

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teaches a intermediate server to provide a differential list of files so as to instruct another set of secondary server to base upon which to download and update the local server as final target, i.e. the files in the *secondary servers* not being a subset of the *Primary servers*; and thus is not disclosing or suggesting that files from each level is a subset of the level above it as in (ii); nor does Saether teach a product maintenance of client systems wherein the sequence of repositories to provide product information available is such that the differential storing of those files per level of repository are specific to a given client as in (i), (ii) and/or (iii) for the client maintenance action, i.e. subsequently accessing repositories and by getting the differential subset of files at each level of repository with a priority of more local files destined for a given client system based on the comparing as in (iv).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A Vu whose telephone number is (272) 272-3735. The examiner can normally be reached on 8AM-4:30PM/Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571)272-3719.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-3735 (for non-official correspondence – please consult Examiner before

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using) or 571-273-8300 (for official correspondence) or redirected to customer service at 571-272-3609.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VAT
November 19, 2005



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